



HARMONIZED SYSTEM  
REVIEW SUB-COMMITTEE

NR0373E1

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27<sup>th</sup> Session  
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O. Eng.

Brussels, 5 February 2003.

POSSIBLE AMENDMENT OF THE EXPLANATORY NOTE TO HEADING 30.02

(Item III.C.14 on Agenda)

Reference documents :

NS0038E1 (SSC/17)	NR0332E3, Annexes E/5 and F/26 (RSC/26 - Report)
NS0060E2, Annexes A/1 and C/1 (SSC/17 - Report)	NS0067E1 (SSC/18)
NC0590E2, Annexes E/1 and L/10 (HSC/29 - Report)	NS0080E1, Annex A/5 (SSC/18 – Report)
NR0299E1 (RSC/26)	

I. BACKGROUND

1. At its 17<sup>th</sup> Session the Scientific Sub-Committee, when examining the classification of certain chemical products in connection with Note 2 to Chapter 30, classified leridistim in heading 29.34. Thus, its classification as a modified immunological product in heading 30.02 was ruled out.
2. With the aim to provide guidance with regard to the interpretation of Note 2 to Chapter 30, the Secretariat put forward a proposal to insert a reference to leridistim as an exclusion example in the Explanatory Note to heading 30.02 for consideration by the Review Sub-Committee.
3. At its 26<sup>th</sup> Session (September 2002), the HS Review Sub-Committee examined the possible amendment of the Explanatory Note to heading 30.02 on the basis of Doc. NR0299E1.
4. One delegate informed the Sub-Committee that according to the information available to his administration, leridistim suggested as an example to be inserted in the proposed exclusion in the Explanatory Note to heading 30.02 was an INN product on which research would no longer be pursued and it could not be expected to be produced or marketed. His administration would therefore suggest finding another example for insertion in the Explanatory Notes and, for the time being, preferred the status quo.

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5. Another delegate stated that in his view, leridistim could be mentioned in the Explanatory Notes since it was included in a list of INN products. In principle, he supported the proposal put forward by the Secretariat in the Annex to Doc. NR0299E1 and was of the view that the Scientific Sub-Committee should be consulted as regards the proposed wording. This suggestion was supported by another delegate.
6. Finally, the Chairperson proposed to ask the Scientific Sub-Committee, in addition to the above, whether it could recommend any other substance suitable to be used as an example in connection with the proposed text. The Sub-Committee agreed with this approach.
7. The Scientific Sub-Committee, at its 18<sup>th</sup> Session, examined the proposal to amend the Explanatory Note to heading 30.02 set out in the Annex to Doc. NS0067E1. The observations of the Sub-Committee are set out below.

## II. OBSERVATIONS OF THE SCIENTIFIC SUB-COMMITTEE

8. Several delegates were in favour of amending the Explanatory Note to heading 30.02 in order to clarify the classification of substances similar to leridistim. However, they suggested that certain amendments be made to the text drafted by the Secretariat.
9. Another delegate pointed out that the research program on leridistim had been terminated by **Pharmacia Corporation**, which meant that this product would not be marketed. He further explained that the volume of trade with regard to these types of products was not significant enough to justify the inclusion of a reference to this or to a similar product in the Explanatory Notes.
10. After a further exchange of views the Sub-Committee felt that the present text of the Explanatory Notes provided sufficient guidance with regard to the classification of these products and was, therefore, of the view that no amendment of the Explanatory Note to heading 30.02 was needed.

## III. CONCLUSION

11. The Review Sub-Committee is invited to take the observations of the Scientific Sub-Committee into consideration when examining this agenda item.
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